



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2466



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Ref: 8HWM-FF

DEC - 9 1992

Mr. Richard Schassburger  
Department of Energy  
Rocky Flats Office  
P.O. Box 928  
Golden, Colorado 80402-0928

RE: Extension Request for OU 1 Draft CMS/FS Report

Dear Mr. Schassburger:

The Environmental Protection Agency (EPA) and the Colorado Department of Health (CDH) have reviewed your letter and enclosure of technical basis that specifically requests a three month extension for the Operable Unit 1 (OU 1) Draft Corrective Measures Study/Feasibility Study (CMS/FS) Report. In effect, the schedule proposed in that letter delays virtually the entire feasibility study phase so that it would not be a concurrent activity with the remedial investigation phase as specified in the Interagency Agreement (IAG). The overlapping nature of these two tasks is the standard procedure in conducting remedial activities under CERCLA and has proven to be a workable approach.

The detailed schedule of the IAG specifies that DOE should have completed all CMS/FS activities through the step of assembling and screening alternatives, including submittal of all associated technical memoranda specified in the IAG, a month and a half prior to submittal of the draft RFI/RI Report. Given the fact that this report was submitted on October 28, 1992, the above mentioned tasks should have been completed in mid-September 1992. The schedule included in your extension request proposes that these activities not be completed until mid-April 1993. Requesting an extension for a document because activities that should have been completed months ago have not been completed does not appear to be good cause for approval of such requests.

In the case at hand, you are basing your extension request on the assertion that you need "... formal regulatory agency feedback and resolution of comments on the Draft Phase III OU 1 RFI/RI Report..." EPA and CDH have already supplied DOE with feedback and comments pertinent to many of the issues cited in the aforementioned letter. Specifically we are referring to the written comments, meetings, and informal dialogue regarding Technical Memoranda 6 through 9 which dealt with the development of the Baseline Risk Assessment (BRA). Regarding issue #2 of your letter, we have stated repeatedly that an exposure scenario which considers domestic use of groundwater, including the

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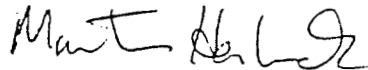
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ingestion and dermal contact pathways, must be analyzed in the BRA. We express this position once again here to remove any doubt that DOE may have regarding our stance on this issue. As a result, DOE and its contractors must proceed directly with modifications to the BRA to take direct exposure to groundwater into account. DOE must also begin to scope and develop a CMS/FS which will be predicated on the revised BRA and RFI/RI Report.

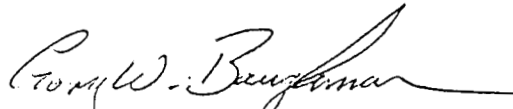
Although DOE has had sufficient warning and opportunity to incorporate this exposure pathway into the BRA, DOE has thus far been unwilling to do so. However for the purpose of accomplishing this task and to avoid time consuming disputes, EPA and CDH are willing to grant a one and a half month extension to the draft CMS/FS Report submittal date and all subsequent milestones for OU 1. As such, the approved submittal date for the draft CMS/FS Report will be May 14, 1993. A revised schedule for subsequent milestones reflecting this extension will be developed and submitted to DOE under separate cover.

If you have any questions regarding these matters, please contact either Gary Kleeman at 294-1071 or Joe Schieffelin at 692-3356.

Sincerely,



Martin Hestmark, EPA  
Manager  
Rocky Flats Project



Gary W. Baughman, CDH  
Unit Leader  
Hazardous Facilities Unit

cc: Scott Grace, DOE  
Cynthia Gee, EG&G

FCD:December 7, 1992:KLEEMAN:MAIL:CMSFS.LTR